

In the Council Chambers of the Showers City Hall, Bloomington, Indiana on Wednesday, April 18, 2018 at 6:30pm with Council President Dorothy Granger presiding over a Regular Session of the Common Council.

COMMON COUNCIL
REGULAR SESSION
April 18, 2018

Roll Call: Ruff, Sturbaum, Chopra, Piedmont-Smith, Granger, Volan, Sandberg, Sims, Rollo
Members Absent: None

ROLL CALL [6:30pm]

Council President Dorothy Granger gave a summary of the agenda.

AGENDA SUMMATION [6:32pm]

Councilmember Isabel Piedmont-Smith moved and it was seconded to approve the minutes of March 7, 2018 as amended. The motion was approved by voice vote.

APPROVAL OF MINUTES [6:32pm]

Councilmember Steve Volan moved and it was seconded to approve the minutes of April 4, 2018. The motion was approved by voice vote.

March 7, 2018 (Regular Session)
April 4, 2018 (Regular Session)
April 11, 2018 (Special Session)

Piedmont-Smith moved and it was seconded to approve the minutes of April 11, 2018. The motion was approved by voice vote.

Councilmember Allison Chopra reminded people that early voting had started and encouraged people to vote in the upcoming primary.

REPORTS
• COUNCIL MEMBERS
[6:35pm]

Piedmont-Smith spoke about the Urban Land Institute’s (ULI) visit to Bloomington to analyze the hospital site and the proposal it made the previous week. She said the city was in desperate need of affordable housing and that the ULI was part of the proposal. She said she wanted to see a mixture of housing types in the future site.

Volan spoke about the Parking Commission, the work it had done, and appointments to that commission.

Councilmember Susan Sandberg spoke about the upcoming Little 500 weekend. She reminded the public that while cycling on the sidewalks was legal, they still had a responsibility to be safe and obey the rules of the road.

Councilmember Jim Sims thanked everyone in attendance and told them they were all welcome. He said that he agreed with Piedmont-Smith about the importance of affordable housing and that he was pleased to see it in the ULI report. He spoke about Jean Magrane, Bloomington’s first female firefighter.

Councilmember Dave Rollo reminded people that Earth Day was approaching. He also spoke about the upcoming student walkout to protest gun violence and said he supported it.

Rollo asked when notification of denial occurred.
Allen said it would be at the Board meeting and then there would be ten days to appeal.

Ordinance 18-05 (cont'd)

There was no public comment.

Public Comment:

Piedmont-Smith thanked the administration for adding an appeal process and said she would vote in favor of the ordinance.

Council Comment:

Sims said that it was vital to have due process and he would vote in favor of the legislation.

The motion to adopt Ordinance 18-05 received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.

Vote on Ordinance 18-05 [7:20pm]

Volan moved and it was seconded that Ordinance 18-04 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of Ayes: 2, Nays: 0, Abstain: 6 for the ordinance, do-pass recommendation of Ayes: 9, Nays: 0, Abstain: 0 for Amendment 01, and a do-pass recommendation of Ayes: 3, Nays: 6, Abstain: 0 for Amendment 02.

Ordinance 18-04 – To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code (BMC) - Re: Amending Fencing and Wall Standards and Some Related Definitions Set Forth in BMC 20.05.046(d) and BMC 20.11.020

Volan asked the Clerk to recite the yes votes on Amendment 02.
Bolden said it was Sandberg, Sturbaum, and Piedmont-Smith.

Volan moved and it was seconded that Ordinance 18-04 be adopted.

Amelia Lewis, Zoning and Long Range Planner, presented the legislation.

Chopra asked for the legislative background.

Lewis said the legislation was adopted in 2006 with the current Unified Development Ordinance (UDO). She said it was intended to prevent tall fences from being placed right next to sidewalks and ruining the pedestrian realm or blocking neighbors. She said the proposed legislation was intended to give additional property rights to owners while keeping fences away from the front of properties, which was the most pedestrian-friendly realm.

Council Questions:

Chopra said she did not understand why the legislation was going against the UDO's philosophy.

Lewis said that it was not completely against the UDO, but would give homeowners more options.

Chopra asked if the requested change was made due to public dislike and a high number of variance requests.

Lewis agreed it was a common variance request.

Volan asked if the legislation was an addition of policy rather than a reversal of policy.

Lewis said she did not think the legislation was a reversal of the UDO policy. She said it would allow for additional fencing in limited scenarios.

Volan said he understood Chopra's concerns but said that the UDO could be amended at any time. He said the extra time the Council used to revise Amendment 02a made the legislation better and he supported it.

The motion to adopt Ordinance 18-04 as amended received a roll call vote of Ayes: 8, Nays: 1 (Chopra), Abstain: 0.

Volan moved and it was seconded that Resolution 18-06 be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis, giving the committee do-pass recommendation of Ayes: 9, Nays: 0, Abstain: 0.

Volan moved and it was seconded that Resolution 18-06 be adopted.

Philippa Guthrie, Corporation Counsel, presented the legislation to the Council.

Piedmont-Smith asked if there was any information about the availability of Tax Increment Financing (TIF) funds for other projects.

Jeff Underwood, City Controller, presented a five year projection of the TIF Consolidated Funds.

Sturbaum asked if the city would need to commit funds for roads at the hospital site.

Underwood said he anticipated that money would come out of the general projects fund.

Sturbaum asked if the fund would increase over time.

Underwood said it would grow over the course of fifteen years.

Rollo asked if the city would be spending more TIF money within the hospital site.

Underwood said yes.

Rollo asked if the estimated revenue was approximately \$9 million per year.

Underwood said yes.

Volan asked what the TIF balances were at the beginning of 2016.

Underwood said he thought it was somewhere in the \$16-18 million range.

Volan asked if Underwood would make a report of the balance from 2016 until that date.

Underwood said yes.

Ruff asked for the appraised value of all the properties.

Underwood said that it was just slightly over \$10 million.

Ruff asked for the cost of demolition.

Underwood said the hospital would pay the cost of demolition, which was estimated at \$7 million.

Ruff asked if someone could argue the value of the hospital was \$3 million.

Underwood said the city was paying about \$3.5 million under the appraised value assuming everything was gone.

Sturbaum asked if private doctors would be considered a competitor to the hospital.

Guthrie said she was not sure but it would be up to the hospital to make that decision.

Ordinance 18-04 (cont'd)

Vote on Ordinance 18-04 as amended [7:47pm]

Resolution 18-06 – To Approve an Agreement between the City of Bloomington and IU Health for the purchase of the Current Bloomington Hospital Site and Surrounding Outlots – Re: Parcels Located in and around the 400-800 Block of West 1st and West 2nd Street, Bloomington, Indiana.

Council Questions:

Sturbaum asked if the appraisal included the parking garage value.
Underwood said yes.

Resolution 18-06 (cont'd)

Rollo asked what the process would be for determining the utility of buildings left standing.

Guthrie said the Redevelopment Commission and administration would be involved in the review. She said the Council would be consulted but was not sure if it was required to approve any actions.

Rollo asked for reassurance that the Council would be kept informed.

Guthrie said the intent was to have a lot of community input and the Council would be involved.

Sims asked if the city would define what competing interests were in future discussions with the hospital. He noted that there were several IU Health doctors offices around the site that could provide similar services without competing.

Guthrie said he was correct and agreed that "competing interest" should be defined.

Piedmont-Smith asked if the sale of the site by the Redevelopment Commission (RDC) to a master developer would need to come back before the Council for approval.

Allen said that any transaction over \$5 million or exceeding the duration of five years would have to come before the Council for prior approval.

Piedmont-Smith asked what the \$1.5 million for affordable housing was in the list of approved TIF funds.

Underwood said it was part of the Mayor's initiative to make Bloomington a community development financial institution (CDFI) friendly city. He said it could be used for a number of things like grants, gap financing, or to supplement a larger fund.

Piedmont-Smith asked if it was separate from the housing development fund and controlled by the RDC.

Underwood said that it was.

Sturbaum asked for clarification on the process by which transactions over \$5 million came to the Council.

Underwood explained the current legislation was for a single agreement with three smaller payments that totaled more than the \$5 million, which was why the Council had to approve it.

Volan asked if the RDC could sell the land for a minimal amount in exchange for other considerations.

Underwood said that was one the tools that the RDC had available. He noted that none of those discussions had taken place.

Volan said that if a parcel of land was given to a developer it should be brought before Council for approval. He asked if the administration would commit to bringing any proposal regarding the property to the Council.

Underwood said he would take the request to the administration.

Rollo asked about the longevity of the TIF.

Underwood said the consolidation of 2015 had a sunset date of 20 years.

There was no public comment.

Public Comment:

Sherman pointed out a typographical error in <u>Ordinance 18-04</u> that could be corrected.	<u>Ordinance 18-04 (reconsidered)</u>
Rollo moved and it was seconded to reconsider <u>Ordinance 18-04</u> .	
The motion to reconsider <u>Ordinance 18-04</u> received a roll call vote of Ayes: 8, Nays: 1 (Volan), Abstain: 0.	Vote on <u>Ordinance 18-04</u> [8:54pm]
Piedmont-Smith moved and it was seconded to reconsider Amendment 01 to <u>Ordinance 18-04</u> .	Amendment 01 to <u>Ordinance 18-04</u>
The motion received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.	Vote on Amendment 01 to <u>Ordinance 18-04</u> [8:56pm]
Volan moved and it was seconded that <u>Ordinance 18-04</u> as amended be adopted.	
The motion to adopt <u>Ordinance 18-04</u> as amended received a roll call vote of Ayes: 9, Nays: 0, Abstain: 0.	Vote to adopt <u>Ordinance 18-04</u> as amended [8:57pm]
	LEGISLATION FOR FIRST READING
Volan moved and it was seconded that <u>Appropriation Ordinance 18-01</u> be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.	<u>Appropriation Ordinance 18-01</u> – To Specially Appropriate From the General Fund, Parks General Fund, Local Road & Street Fund, Parking Meter Fund, Jack Hopkins Social Services Funding Program Fund, and Vehicle Replacement Fund Expenditures Not Otherwise Appropriated (Appropriating a Portion of the Amount of Funds Reverted to Various City Funds at the End of 2017 for Unmet Needs in 2018)
Volan moved and it was seconded that <u>Appropriation Ordinance 18-02</u> be introduced and read by title and synopsis only. The motion was approved by voice vote. Bolden read the legislation by title and synopsis.	<u>Appropriation Ordinance 18-02</u> – Additional Appropriation for Bloomington Transportation Corporation for 2018 (for Two Buses and Studies)
There was no public comment.	ADDITIONAL PUBLIC COMMENT
Volan moved and it was seconded to cancel the Internal Work Session on Friday, April 20, 2018. The motion was withdrawn after a brief discussion.	COUNCIL SCHEDULE [8:59pm]
Volan noted the Land Use Committee would be meeting the following week.	
The meeting was adjourned at 9:02pm.	ADJOURNMENT